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ABSTRACT

Under requirements of the Kentucky Education Reform Act (KERA) of 1990, the state was forced to redesign its department of education. This document describes the process by which a new department of education was created. After the introduction and executive summary, sections provide information on the following activities: the legal action leading to KERA, the passage of KERA, employing the Commissioner of Education, the transition period, confronting the state merit system for employment, organizing the restructured department, and staffing the new department. The new department of education follows a centralized, bureaucratic structure and has three deputy commissioners of three service areas: management support; learning results; and learning support. New staff, most from out of state, filled the newly created top-level positions. An implication of restructuring for state policymakers is that no one type of organizational structure is best for state agencies with diverse functions. The dilemma in hiring new staff for a restructured department is that quick change is offset by a temporary decline in effectiveness. Clearly defined goals and criteria for evaluation are necessary for successful restructuring. Two organizational charts are included. (Contains 26 references.) (LMI)

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POLICY ISSUES

Restructuring a State Education Agency: The Kentucky Experience

by **Eddy J. Van Meter**
University of Kentucky

September 1992

Prepared by:
STATE POLICY PROGRAM
Appalachia Educational Laboratory
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I also want to thank Betty E. Steffy for her help in clarifying some of the issues discussed in this paper. Formerly deputy superintendent for instruction with the Kentucky Department of Education, Steffy is now associate professor of educational administration at the University of Kentucky and is the author of a forthcoming article entitled "Assault on the Bureaucracy: Restructuring the Kentucky Department of Education," which provides a complementary perspective on the issues discussed in this manuscript.

Foreword

In 1990, states began to restructure their departments of education—a trend that often accompanied restructuring at the school level. While two AEL states—Kentucky and Virginia—were among those restructuring their departments, the impetus of change in those two states was quite different. In Kentucky, change was initiated by a supreme court decision that declared unconstitutional that state's entire education system. In Virginia, a Price Waterhouse study commissioned by the state board of education set department change in motion.

As Kentucky and Virginia restructuring efforts got underway, AEL's State Policy Program Advisory Committee agreed that a description of the process and outcomes of restructuring in each state could be of regional and national interest. Staff sought knowledgeable observers to document department restructuring in each state. Eddy J. Van Meter, professor and chairperson of the Department of Administration and Supervision at the University of Kentucky, agreed to prepare this paper on restructuring the Kentucky Department of Education. A companion paper on Virginia was prepared by Elizabeth L. Pitt, a doctoral student at the Commonwealth Center for the Education of Teachers, Curry School of Education, University of Virginia. That paper, *Implementation of An Innovative Design—Restructuring the Virginia Department of Education*, is also available from AEL.

EXECUTIVE SUMMARY

Under requirements of the Kentucky Education Reform Act of 1990, the state was forced to redesign its department of education. The legislation abolished all existing department of education positions as of June 30, 1991, and gave the commissioner of education—a new position created by the law—the authority to build a new agency. The newly appointed commissioner assumed his duties January 1, 1991.

The Transition from Old to New

The six-month period between the appointment of the new education commissioner and the June 30 deadline for having a new department in place was turbulent. The new commissioner faced a formidable task. He needed to oversee department employees who were working feverishly to implement mandated Kentucky reforms while facing the impending loss of their jobs. He was obligated to meet with political constitutents, such as legislators and state board members, and with the press. In addition, he had to face particularly sticky issues dealing with salary limitations for new hires—all while building a transition team that would create the new department.

A New Department of Education Emerges

The new department of education that emerged in July 1991 remains structurally bureaucratic. Three deputy commissioners, who report to the commissioner, head three major units: (1) management support services, (2) learning results services, and (3) learning support services. The supporting organizational hierarchy is three layers deep.

The functions of the department appear to be centralized. Although the new plan created a number of regional centers, they are subsumed within the centralized system and are given divisional status. The new department is somewhat smaller with 865 positions—about 40 positions less than the previous department employed.

New staff—most from out of state—fill the newly created top-level positions. No experienced top-level administrators from the previous department remain in the new department. Most sought jobs outside the department, giving the new commissioner plenty of latitude in choosing his course of action. Supporting staff and lower-level managerial positions were filled first, middle- and higher-level positions last.

By November 1991, the restructuring was virtually complete. It remains to be seen if the changes are more than symbolic and how the agency carries out its mission of service to the statewide system of restructured schools.

Implications for State Policymakers

Restructuring state departments of education—or any other state agency, for that matter—raises some questions: Is a nonbureaucratic structure really viable for a state education agency, given the responsibilities involved? Is it good practice to employ new people in all higher-level administrative posi-

tions within a restructured agency? What does it mean for a state education agency to shift from a regulatory to a service emphasis? When a state education agency is restructured, how is the success of the new structure to be measured?

The author suggests that no one type of organizational structure is best for state agencies with responsibilities as diverse as service, regulation, and compliance monitoring. To resolve the issues of department responsibilities and suitable structures, policymakers may want to initiate serious discussion to clarify their expectations.

Staffing a restructured department also presents a dilemma. While change may result more quickly if new staff are hired, the tradeoff may be lost time and effectiveness as new staff experience the "learning curve" that results when adapting to a new job.

If a state agency is expected to shift from regulation to service, observers would expect to see specific new agency structures designed and staff hired to provide that service. Without such clear organizational signals, local school personnel may sense confusion at the top.

A key lesson from the Kentucky experience is that when state agencies are restructured, everyone has something to complain about! Complaints might be minimized if state leaders would spell out the criteria to be used in measuring the success of the new structure. Vague demands for restructuring without clear goals may leave state leaders dissatisfied and unable to defend the results of restructuring.

INTRODUCTION

While a great deal of recent attention has been directed to the issue of restructuring schools, most of this discussion has focused on individual buildings and school districts. Efforts to restructure at a different level—that of the state education agency—have received less attention; however, such efforts are now being discussed and taking place. Kentucky, as one example, has recently completed the initial phase of such an effort. The state legislature in 1990 passed a comprehensive education reform bill that, among other things, called for abolishing the existing state education agency and establishing a new restructured agency to take its place. In this paper, a description of the Kentucky effort is provided, and the author discusses some of the practical as well as policy implications of the effort.

In the late 1980s and early 1990s, the topic of restructuring schools has evolved as a provocative—albeit ambiguous—issue of discussion among education policymakers, practitioners, and pundits (David, 1988; Mojkowski, 1991; Schlechty, 1990; Shanker, 1990; Finn, 1991). Elmore (1990), in the introductory chapter of a recently published book dealing exclusively with the topic, has this to say about restructuring in the context of an overall discussion of school reform:

> The idea of restructured schools has become increasingly important in recent debates on educational reform. In the current political language, the "first wave" of recent educational reforms, extending from the late 1970s to the present, was designed to focus public education on academic content and to introduce higher standards for students and teachers. The "second wave," extending from the present onward, focuses on fundamental changes in expectations for student learning, in the practice of teaching, and in the organization and management of public schools. Behind the idea of restructured schools is a fragile consensus that public schools, as they are presently constituted, are not capable of meeting society's expectations for the education of young people (p. 1).

What appears evident in much of the restructuring commentary is the emphasis on a need for fundamental changes in the very structure of schools, as contrasted with what perhaps can be viewed as less radical programmatic changes that have been called for during previous education reform periods. It is no longer an issue of implementing innovative programs within the existing system (McLaughlin, 1990; Huberman & Miles, 1984), but rather changing the very nature of how schools are organized and how people in schools go about their business. In effect, the notion as presented in the most extreme form is that the entire vast public education system has become so dysfunctional as to require complete overhaul!

While most of the discussion about restructuring has focused on the level of individual schools and local districts, an additional interesting question has to do with how state education agencies can best initiate and re-

...the entire vast public education system has become so dysfunctional as to require complete overhaul!

spond as needed within a restructured school context (Cohen, 1990). Equally important, yet thus far not as much talked about, is the question of how state education agencies can themselves be restructured to better meet the challenges of the next decade of education reform.

With the above thought in mind, this paper describes a major state education agency restructuring effort carried out in Kentucky. This effort, primarily a result of judicial and legislative mandate rather than altruistic internal initiative, was undertaken in large part to create a more supportive organizational structure to foster the implementation of the Kentucky Education Reform Act of 1990 (KERA), given the ruling of the Kentucky Supreme Court that the entire system of public education in the state was unconstitutional.[1]

LEGAL ACTION LEADING TO KERA

The massive Kentucky school reform effort of 1990 was precipitated by a concern for equitable funding of school districts rather than by initiative of the office of the governor or the legislature. The latter circumstances are often noted as the major stimulus for reform, particularly in the southeastern area of the United States during the late 1980s (Finn, 1991).

The Council for Better Education (a nonprofit corporation comprised of 66 Kentucky school districts) in late 1985 filed a complaint in the Franklin Circuit Court claiming that funds were inadequate and inequitably available among school districts within the state to provide for the education of public school children (Barwick, 1989). In October 1988, Judge Ray Corns of the Franklin Circuit Court issued a judgment indicating that the Kentucky General Assembly had, in fact, failed to provide an efficient system of common schools and that the system of school financing was inefficient. On appeal, the Kentucky Supreme Court in June 1989 issued an opinion that surprised virtually everyone involved in the case and others interested in the outcome. In effect, the court ruled that not only was the financial system for education inadequate and inequitable, but indeed the entire system of public education at the elementary and secondary school level was unconstitutional!

In practical terms, this ruling created a situation wherein the state legislature was told to completely reconstruct the K-12 public education system, a challenge not confronted by any state during this century. Existing statutes, regulations, organizational configurations, curricular mandates, personnel designations and titles, and virtually everything else relating to the vast bureaucratic structure of Kentucky public education was subject to being eliminated, dismantled, or in some other way changed. The dramatic nature of the ruling, as can well be imagined, was a shock; politicians, school personnel, and lay citizens alike expected changes in the school funding distribution system, but almost no thought was given to a command that the entire public education system be restructured.

...the entire system of public education at the elementary and secondary school level was unconstitutional!

THE LEGISLATURE RESPONDS: KERA OF 1990

In response to the Kentucky Supreme Court ruling, the Kentucky General Assembly, in rapid fashion, organized a Task Force on Education Reform to go about the business of redesigning the state's public education system. This task force was comprised of members of the senate and house leadership and included representatives of the executive branch appointed by the governor. The task force organized three working committees to develop a revised plan for public education: curriculum, finance, and governance. In turn, five expert consultants—all from outside the state—were employed to provide assistance to the task force and the three committees.[2]

The time it took to organize a legislative response and enact an education reform bill was remarkably quick, given the normal processes of state governance. The task force was organized in July 1989, its final report was adopted in March 1990, and the Kentucky Education Reform Act of 1990 (i.e., House Bill 940) was approved by the General Assembly and signed by Governor Wallace G. Wilkinson on April 11, 1990.[3]

KERA is arguably the most comprehensive effort to foster education improvement ever attempted statewide. Included within the total reform package, but certainly not inclusive of everything involved, are

- revised procedures for distributing state monies to support public education, based in large part on a per-pupil formula;
- establishment of a new, totally independent regulatory board composed of a majority of teachers, which has responsibility for certification design and oversight for all elementary and secondary positions;
- development of "performance standards" for student outcomes related directly to statewide educational goals, with an accompanying statewide "performance assessment" testing program to determine, at the individual school level, if students have successfully developed skills and knowledge necessary to exhibit performance outcomes germane to their grade levels;
- establishment of a required early childhood program for at-risk four year olds;
- establishment and operation of a system of family resource centers and youth services centers located near schools with at least 20 percent of the students on free lunch;
- establishment of an ungraded K-3 primary-school program, with testing for competency to enter grade four;
- establishment of school-based decisionmaking within the more than 1,350 schools in Kentucky, with considerable decisionmaking authority vested in the school council organized at each school;
- design and implementation of an enhanced educational technology system at a total projected cost of more than $150 million; and

KERA is arguably the most comprehensive effort to foster education improvement ever attempted statewide.

- establishment of a "reward" and "sanction" program focusing on individual schools as the target of application and based on performance assessment of student learning outcomes and other selected criteria, determined every two years.

Finally, the Kentucky Education Reform Act called for eliminating the authority and duties of the elected state superintendent of public instruction (a constitutionally founded position) and relegating such authority and duties instead to a newly created and appointed position of commissioner of education. Further, the existing Kentucky Department of Education was to be replaced by a restructured state education agency. Section 156.016 of KERA stated:

> Effective at the close of business on June 30, 1991, all employment positions in the department of education shall be abolished and the employment of all employees in the positions shall be terminated.

The newly appointed commissioner of education was given the authority and responsibility to conduct a nationwide search for new staff and to organize a restructured department of education to open for business on July 1, 1991.[4]

Employing the Commissioner of Education

Section 39 of the Act stipulated that the newly appointed commissioner of education was to assume his or her duties on January 1, 1991, thus giving the individual a six-month period to restructure the department. A temporary Education Management Selection Commission was created to conduct a search for the first commissioner of education. This search team was comprised of six persons appointed by the governor and the legislative leaders, again as stipulated in KERA (Section 36). In an interesting twist of employment practice, this selection commission was given the ultimate authority to hire the new commissioner, since the State Board for Elementary and Secondary Education was itself newly reorganized as a result of KERA, and thus would only endorse the commission appointment. Future appointments of a commissioner are to be a state board responsibility.

The latter part of 1990 was a period of anticipation, as the search for a new commissioner of education took place. After reviewing the credentials of some 120 individuals and arriving at a final list of three candidates for the position (all from outside the state), the selection commission on November 16, 1990, named Dr. Thomas Boysen from California as the first commissioner of education for Kentucky, and the individual to assume overall leadership for implementing the Kentucky Education Reform Act over the five-year time frame set as part of the legislative bill (Jennings, 1990).

Boysen previously served as superintendent of the San Diego (California) County school system, a county office providing support services to

43 school districts. After some negotiation on the terms of his appointment, Boysen signed a contract accepting the position on December 3, 1990. An indication of the extent to which Kentucky was confronting a new reality about education excellence was manifest in the agreed-upon salary for the new commissioner, finally set at $125,000 per year, which was almost double the salary paid to the outgoing state superintendent of instruction and also double the annual salary of the governor.

It is fair to say that Commissioner Boysen's initial contacts with the press, public, and educators throughout the state were favorable. A man of disarming charm and intellect, Boysen exhibited a thorough understanding of KERA from the outset, while also conveying a sense that a decisive plan of action was already in progress. Behind the scenes, however, the new commissioner was confronted with the formidable task of having department of education employees engage in absolutely necessary KERA-related and regular ongoing departmental activities when all were perfectly aware that their jobs terminated at the end of June! The commissioner's energy was somewhat splintered—going to meetings and making appearances, interacting with legislators and members of the state board, and meeting with the press—while attempting to put into place a transition team that would create a new department of education. If there had been a respite between the time he accepted the position in early December 1990 and the time he officially took office in early January 1991, that period was now certainly over: January to July was to be a whirlwind.

THE TRANSITION PERIOD: JANUARY TO JULY 1991

Early in January 1991, the commissioner drafted and distributed a brief document setting forth a transition plan for the Kentucky Department of Education. This plan proposed moving forward on three fronts: a statewide system for strategic collaboration, an organizational design study relating to the restructured department, and a strategic planning process (Steffy, 1992). By mid-March 1991, these initiatives, among other things, resulted in a list of objectives for department restructuring being compiled and distributed to department staff. The department restructuring objectives included the following items:

(1) facilitate achievement of KERA and KDE plan,

(2) consolidate and streamline the organization to improve communication and expedite decisionmaking,

(3) respond to the new position of commissioner of education,

(4) provide for integration of programs across organization lines,

(5) provide for clear position accountability,

(6) establish distinction between service and control/monitoring,

This plan proposed moving forward on three fronts: a statewide system for strategic collaboration, an organizational design study relating to the restructured department, and a strategic planning process.

Because of KERA, the department was to have much more of a service emphasis.

(7) ensure an immediate recognition of priorities of KDE,

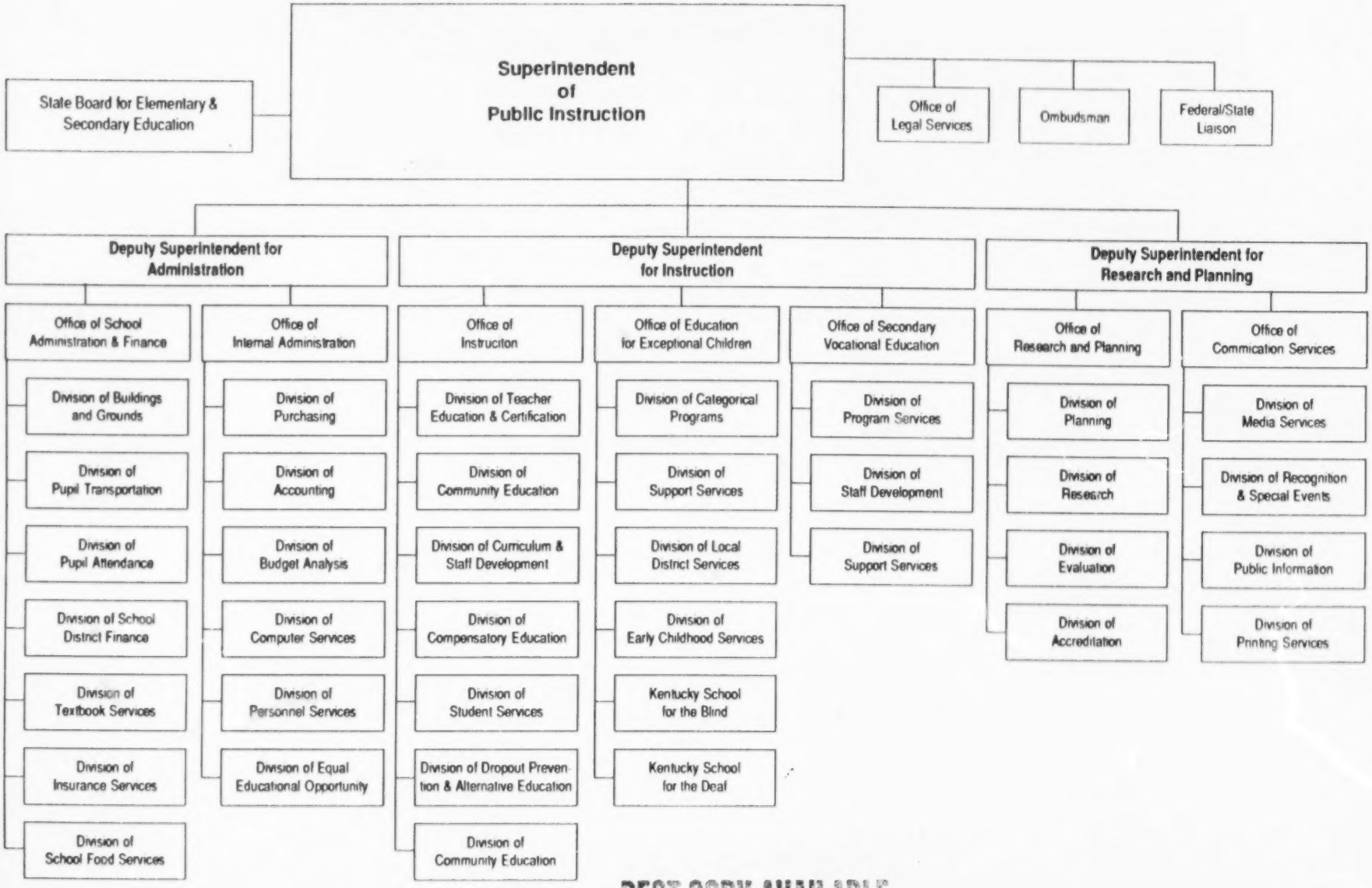
(8) establish a service-oriented regional structure to coordinate and facilitate services to local districts, and

(9) ensure flexibility to allow the state department to respond to change (Steffy, 1992, pp. 19-20).

It is perhaps instructive at this point to present some notion of the department's structure as Commissioner Boysen entered the picture. The organization chart depicted in Figure 1 provides some indication of how the "old" department was structured to accommodate the some 900 individuals employed in the agency.[5]

The prior-to-restructuring organization of the department was traditional in most respects, although the meaning of such terminology is vague at best. In a descriptive sense, the design was hierarchical and functional, with three deputy superintendents reporting directly to the state superintendent of public instruction. The deputies had overall responsibility for the separate emphases of administration, instruction, and research and planning. Immediately under each deputy superintendent were associate superintendents in charge of functional area offices. Under the deputy superintendent for administration were two offices—school administration and finance, and internal administration; under the deputy superintendent for instruction were three offices—instruction, the education of exceptional children, and secondary vocational training; and under the deputy superintendent for research and planning were two offices—research and planning, and community services, which really involved media and public information. Under each office was a series of appropriate divisions managed by a division director, often with several branches under a division. The department was a bureaucracy in the classic sense. Its relationship to the 176 school districts in the state was regulatory as well as developmental and supportive.

Because of KERA, the department was to have much more of a service emphasis. The regulatory function was downplayed, in part, as a result of such decentralizing features of the reform as a mandate for statewide school-based decisionmaking (KERA, Section 43). However, another impetus for dismantling the department of education was an impression on the part of some legislators involved in the reform that department staffing was, in too many instances and for too long a period of time, a result of the largess of employment handed out by whomever happened to be elected to the position of state superintendent of public instruction. The hackneyed political jargon of "to the victor goes the spoils" has currency in Kentucky as it does in many states and localities, and the notion prevailed in some quarters that each state superintendent placed his or her choice of individuals in key positions within the agency.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Office of Internal Administration
Office of Instruciton
Office of Education for Exceptional Children
Office of Secondary Vocational Education
Office of Research and Planning
Office of Commication Services
Division of Buildings and Grounds
Division of Pupil Transportation
Division of Pupil Attendance
Division of School District Finance
Division of Textbook Services
Division of Insurance Services
Division of School Food Services
Division of Purchasing
Division of Accounting
Division of Budget Analysis
Division of Computer Services
Division of Personnel Services
Division of Equal Educational Opportunity
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Figure 1. Kentucky Department of Education Organization Chart (Prior to Restructuring)

Confronting the State Merit System for Employment

As Boysen began to actually set the restructuring process in motion, it became apparent that problems might ensue because of the existing merit system for employment within the department (Jennings, 1991a; Jennings, 1991b). The state merit system spells out job rights of affected state employees and defines salary parameters for grades within the system. While not all professional staff in the Kentucky Department of Education are included in the system, many mid-level positions are subject to the provisions of the merit system.

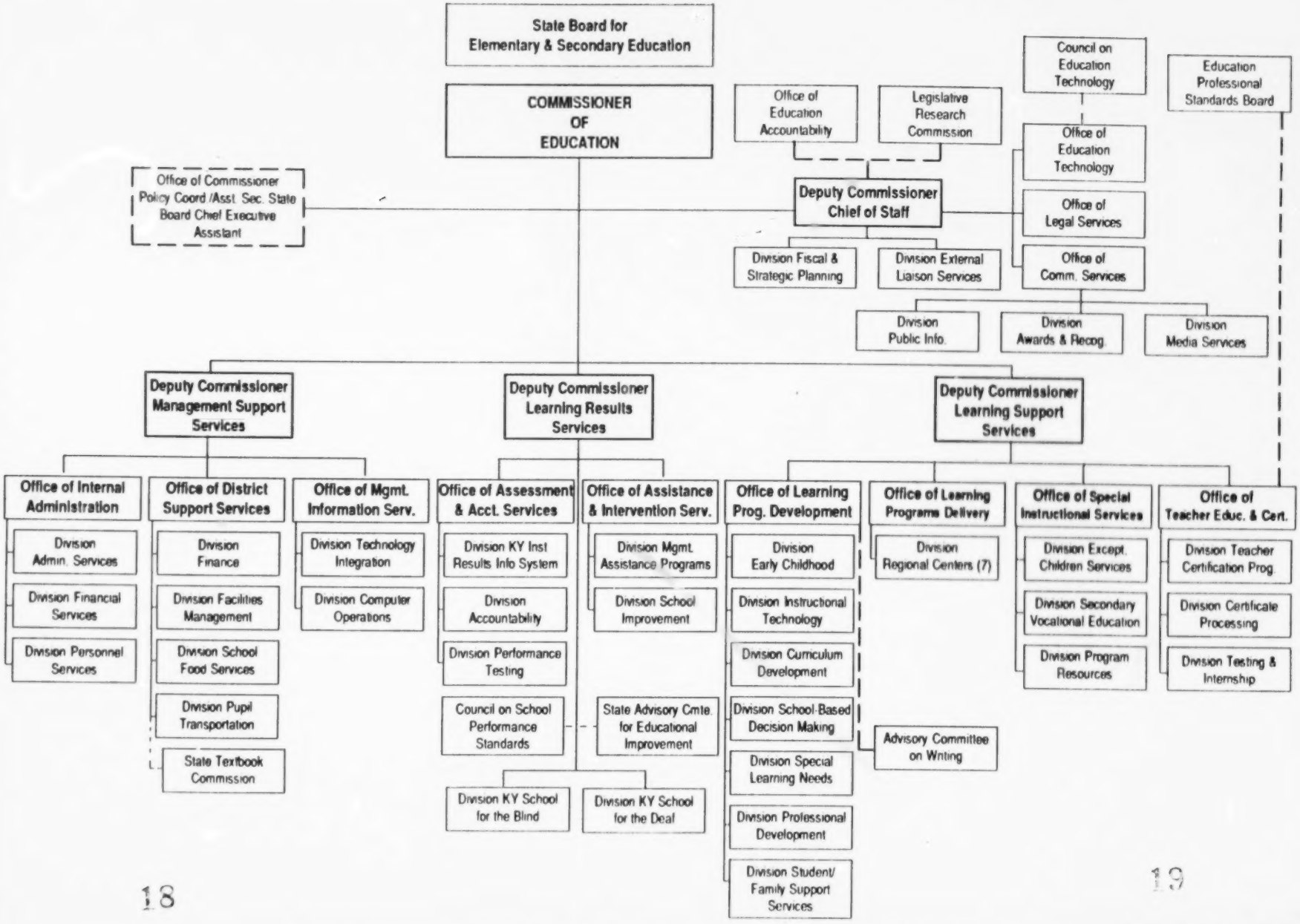
...the structure does remain seemingly bureaucratic in nature.

The commissioner's problems were not due to the inability to remove merit system employees; clearly, the reform law gave him that one-time prerogative. Rather, the issue was whether anyone newly hired for a merit position was subject to a maximum-salary rule for new hires, which stipulates that pay for newly hired employees cannot be set above the midpoint for their grade. Boysen's contention was that this provision did not provide the flexibility needed to hire the professional staff at the salaries it would take to employ them.

Commissioner Boysen attempted to deal with the merit system restrictions initially by asking the legislature to meet in a special session to be called by the governor for the purpose of removing the Kentucky Department of Education from the state merit system. That request was turned down by the governor and legislative leadership, forcing Boysen to take a different approach that, among other things, now allows top-level appointees in the restructured department to receive their salaries through a contract for services with an agency outside the system, a procedure that raised questions among some members of the state's media (Bishop, 1991). In effect, the complexity of the state merit system was a situation not anticipated by Boysen, and his solution to a problem encountered with the system was expeditious but, perhaps in the long run, will not be satisfactory.

Organizing the Restructured Department

As previously noted, an organizational design study was one activity of the transition plan initiated by Boysen. When a plan was finally selected after considering several alternatives, the new organization for the department included a configuration of offices, divisions, and branches that are either meaningfully different from the old structure or surprisingly similar, depending on one's assessment and inclination. As depicted in Figure 2, the structure does remain seemingly bureaucratic in nature. Four deputy commissioners report to the commissioner. One deputy oversees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Division School Food Services
Division Pupil Transportation
State Textbook Commission
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State Advisory Cmte. for Educational Improvement
Division KY School for the Blind
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Office of Learning Prog. Development
Division Early Childhood
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Advisory Committee on Writing
Office of Special Instructional Services
Division Except. Children Services
Division Secondary Vocational Education
Division Program Resources
Office of Teacher Educ. & Cert.
Division Teacher Certification Prog.
Division Certificate Processing
Division Testing & Internship

Figure 2. Kentucky Department of Education Organization Chart (After Restructuring)

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the administrative officers, and three others oversee the three major operational units of the department: (1) management support services, (2) learning results services, and (3) learning support services. Under each deputy are divisions, which include branches. While the nomenclature is clearly new and the emphasis is on service, the very nature of the organizational structure exhibits the classic features of a bureaucratic line of authority (e.g., branch personnel report to division personnel, who report to office personnel, who report to a deputy commissioner, who reports to the commissioner).

One particularly interesting part of the discussion in the department reorganization was how exactly to create a system of decentralized service centers....

One particularly interesting part of the discussion in the department reorganization was how exactly to create a system of decentralized service centers, an aspect of the restructuring that was discussed early and often by many of the players in the overall reform effort. There was speculation, for example, that something akin to the intermediate unit concept of regional education service centers or more area education agencies would be implemented as part of a much more decentralized Kentucky Department of Education. As seen in the new organization chart, a decision was made to establish a number of regional centers, but these are clearly subsumed within the centralized system. In addition, the centers are relegated to a divisional status that is at least two steps removed from the office of the commissioner (see Figure 2 for the Office of Learning Programs Delivery under the Deputy Commissioner of Learning Support Services).

In all, as authorized, the new Kentucky Department of Education includes some 865 positions. This figure incorporates the just-mentioned regional centers (49 positions in seven centers), as well as some 346 positions at the School for the Deaf and the School for the Blind—both of which were relatively unaffected by the restructuring effort. This is in contrast to a total of approximately 904 previously authorized positions (Jennings, 1991c).

STAFFING THE NEW DEPARTMENT

Changes in staffing for the restructured department began, to some extent, prior to the July 1, 1991, official start date for the reorganization. During the January-to-July transition period, both management and supporting staff were trying to determine their chances of staying in the new system or seeking new jobs. Those interviewed by the author said rumors abounded that changes at the deputy superintendent level were mandated by both the legislative leadership and the office of the governor. These were taken as indication that fundamental changes were going to take place. In fact, as things materialized, several major decisionmakers within the department did leave. None of the deputy superintendents remained in the department as it was finally established (i.e., each resigned and accepted positions elsewhere, avoiding an actual firing of these top-level administrators). Ironically, it was also these very same individuals who provided the bulk of leadership for the KERA implementation prior to the arrival of

the new commissioner. In many respects, they were the ones mobilizing the department. Their actions were supportive of the reform effort, which, without their leadership, could have suffered immeasurable damage.

One particularly interesting feature is the sequence of staffing in the new department. Supporting staff positions and lower-level managerial positions were filled first; only later were decisions made about top-level administrative positions. Thus, when individuals at the office and deputy commissioner levels were hired, they generally already had people employed in the units under their jurisdiction. In effect, those hired to head offices with newly defined functions were not involved in the hiring of the employees who would be called on to accomplish the reform's implementation. The ultimate wisdom of this sequence of employment will be interesting to examine over the next two- or three-year period.

While not all of the middle- and higher-level administrative and professional staff positions were filled within the first six months of the restructured department, the restructuring, for all practical purposes, was completed by mid-November 1991. The new organization structure was in place, many—if not all—of the professional and support staff positions of the agency were filled, and the new Kentucky Department of Education was engaged in the many ongoing tasks involved in implementing the massive education reform act of 1990.

FACING THE FUTURE: A MIXED PROSPECT

The term for Governor Wallace Wilkinson in Kentucky drew to a close in early December 1991. Wilkinson was governor during the most important part of the education restructuring period, including the legislative session that resulted in passing the reform act, which he signed into law. He was also an active player in shaping the ultimate reform package, and there is little doubt that his willingness to support a tax increase to finance the reform was essential. In late November, the governor commented on various aspects of his administration in a series of interviews with a local television station in Lexington. During the second of these interviews, Wilkinson expressed concern about the new department of education, indicating that "some danger signs are gathering." He went on to say that, "We had a once-in-a-lifetime opportunity. [The employment of] every employee in the department was terminated." But "too many people have been hired, and they are being paid too much money at the moment. I hope we don't have a regathering of the establishment over there."

The situation with the new governor, Brereton Jones, is generally positive; he supported the education reform effort as part of his election platform. In like manner, the legislative leadership continues to support the reform effort. Despite declining revenues, state legislators were able to write a 1992 budget that sustained progress toward quality education in

all districts. However, there has been criticism of Commissioner Boysen in reference to the manner in which the education department reorganization was handled. In a January 1992 article that appeared in a nationally distributed publication (Harp, 1992), Senator Michael R. Moloney, chairman of the Senate appropriations committee and a member of the original 1990 reform task force, commented that the department restructuring:

> ...didn't go far enough.... The opportunity was there to do what had never been done before. We wanted to change direction and while that occurred at the top levels, we missed a golden opportunity to change it at the operational level. This has not been done (p. 20).

In the same article, Senator David K. Karem, chairman of the Democratic caucus and also a member of the reform task force, reflected on the department restructuring effort, saying,

> We bled, as members of the legislature, over a tremendous upheaval and said to this person to work on it as if the education department didn't exist.... We said you get this one time in modern history to rethink this thing from the ground up and we said, if anything, err on the side of understaffing. The net effect is that the employment is the same if not larger...I think that's a shame (p. 20).

The issue now is to determine if restructuring at the state education agency is something more than symbolic...

On an optimistic note, it is important to acknowledge that the titles of the three major units of the now restructured education department focus on service to local school districts and schools (i.e., management support services, learning results services, and learning support services). The issue now is to determine if restructuring at the state education agency is something more than symbolic, and if the agency can truly assist a statewide system of public schools involved in massive reform implementation. At issue is also the question of what service really means under the supposedly decentralized conditions established by the Kentucky education reform.

IMPLICATIONS FOR FUTURE STATE EDUCATION AGENCY RESTRUCTURING

The Kentucky Department of Education, after some two years of effort, has clearly been reorganized as the preceding commentary describes. Whether this reorganization has also resulted in restructuring of the functions of the department—and operational mentality—is another matter. Certainly, personnel have changed; all four of the deputy commissioners, as well as 10 of the associate commissioners, are newcomers to the department (i.e., one deputy commissioner functions as chief of staff, reporting directly to the commissioner, rather than heading an operational unit). A modest regional center concept has been implemented. New roles have been created to address specific aspects of the Kentucky reform plan—such as student performance assessment and school-based decisionmaking. Yet, it is also evident that what remains is basically a centralized edu-

cation department, housed in the office complex used by the old department, subject to a bureaucratic system of layered offices and administrative personnel. Thus, the Kentucky experience—or any other state agency restructuring, for that matter—does raise some questions.

Is a nonbureaucratic structure really viable for a state education agency, given the responsibilities involved?

One of the basic features of bureaucracy is the establishment of clear lines of hierarchical authority that result in the ability to hold accountable those officeholders who have the final say about decisions within the larger organization. Much has been said in the recent literature about the advantages of "flat" and "democratic" organizational structures. It is interesting to speculate, however, about the viability of such structures when the organization has three very diverse purposes: (1) to provide coordinated services to many other organizations, (2) to regulate the same organizations, and (3) to ensure these organizations' compliance with federal guidelines. If state education agencies retain the appointed or elected position of state commissioner or superintendent, and if this individual is to be accountable to a state education governing board, then questions about clear lines of authority are germane. This is not to suggest that non-bureaucratic models of state agency operation are inappropriate, but rather to note that such models create an obvious tension for the person who is ultimately held accountable. This is particularly true in a sometimes highly charged political environment, when the structure of the organization is such that authority and responsibility are loosely defined and applied. Thus, policymakers may want to initiate a much more serious discussion about exactly how state agency restructuring can realistically be implemented and what such restructuring really implies. It is one thing for politicians, members of the media, and people on the street to bemoan "the bureaucracy"; it is quite another matter to construct an alternative that actually works!

Is it a good practice to employ new people in all higher-level administrative positions within a restructured agency?

A case for employing new people in higher-level, second-tier positions can be made. Such individuals can be said to bring new thinking to the position, are perhaps less inclined to resist a redefinition of functions among divisions or offices, and are perhaps not bound by allegiances to a system being abandoned.

Another way of looking at the issue of hiring all new people for higher-level positions, perhaps indicating disadvantages of such a practice, involves what can be called the learning-curve problem of any newly created agency. In effect, when new people are brought into an organization, double learning must take place. First, people new to the organization generally need to learn about the various constituencies with whom their office or branch will interact. Second, employees in a newly reorganized agency also have to learn new roles, responsibilities, obligations, and functions. This may tend to slow agency responsiveness to constituent groups such as local school districts in the case of a state education agency.

Certainly, the notion of "cleaning house" has the potential to result in the creation of a new home, but it may take some getting used to. State agencies that are undergoing change will want to weigh carefully the advantages and disadvantages of total restaffing of top-level positions.

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What does it really mean for a state education agency to shift from a regulatory to a service emphasis?

If state education agency restructuring implies a shift of emphasis from regulation to service—as supposedly was the case in Kentucky—one of the important questions becomes: How should the agency be organized and staffed to deliver that service? In the Kentucky case, agency offices were reorganized to suggest more of a service function, but the staff of the restructured, smaller agency remain primarily at a central location. These circumstances do not appear to lend themselves to increased service delivery. To the extent that a modest, decentralized regional center program was created in the Kentucky model, perhaps direct service in the form of technical assistance will be increased somewhat. The number of personnel allocated to the regional centers, however, is certainly minimal, given the total number of districts and schools to be served.

...internal agency offices were reorganized to suggest more of a service function...

A similar issue is the potential for creating a great deal of confusion on the part of local school personnel about what role the state agency will assume. This can happen when the new language of the agency is "service," but the reality of practice is actually some blurred combination of both service and regulation. Given the responsibilities of monitoring federal programs and guidelines, it may be unrealistic to talk of state education agencies being oriented to service only.

When a state agency is restructured, how is success of the new structure to be measured?

Perhaps one lesson to be learned from restructuring Kentucky's state education agency is that no matter what the outcome, people can find a reason to be unhappy with the results! Politicians may be unhappy with the speed of the effort and with the details of the new structure. Previous employees may be unhappy with the process of making personnel changes and the loss of their jobs. Local school district personnel may be unhappy with a lack of answers to important operational questions and with the choice of agency staff with whom they must interact. And voters may be unhappy with the costs involved in operating a state agency—whether old or newly restructured—which were brought to their attention by the media.

To some extent, such circumstances may be minimized by stating at the very outset of an agency restructuring effort those criteria to be used in determining if the end product is successful. At least such predetermined criteria provide a means of diffusing what may be unwarranted after-the-fact criticism. Further, in a more positive sense, the criteria can be used as a meaningful guideline for making decisions about how restructuring is to be accomplished. By calling for restructuring, leaving the possibilities totally open and even vague, and seeming to give those responsible the needed freedom to operate, state leaders may simply have created a circumstance in which they are neither satisfied with nor able to defend the results.

SUMMARY

In the education lexicon of the early 1990s, restructuring is a vogue term. Thus far, however, the concept has been discussed more as applying to changes in the conditions of schools than redefining the circumstances of those agencies that support the schooling endeavor.

Restructuring of such support agencies—colleges of education, social service agencies, state education departments—is nonetheless beginning to take place. And while we do not yet know enough about the process, or the result desired, to talk definitively about a finished product that will ensure a better education for our children of the next century, we are learning. The state education agency restructuring experience in Kentucky, and those now moving forward in other states, is a beginning.

NOTES

1. There are several useful sources of information regarding the Kentucky education reform effort now available in the general education literature. Donna Harrington-Lueker (1990), for example, provides a good overview of the entire Kentucky reform plan. Information regarding the move to a decentralized school-based decisionmaking format of governance is provided by Van Meter (1991). A particularly useful commentary on some of the legal issues involved in the Kentucky reform is provided by Alexander (1991). Finally, a less readily available but very informative document providing an overview of the component parts of the Kentucky education reform effort has been prepared by Miller, Noland, and Schaaf (1990).

2. Consultants to the Task Force on Education Reform included Frank Newman (president, Education Commission of the States), David Hornbeck (Hogan and Hartson, Washington, D. C.), Luvern L. Cunningham (Leadership Development Associates, Alexandria, Ohio), Lila N. Carol (Leadership Development Associates, Alexandria, Ohio), and John Augenblick (Augenblick, Van de Water and Associates, Denver, Colorado).

3. Presenting the legislative response in a two-sentence statement does an injustice to the complexity of issues involved during the nine-month period from July 1989 until mid-April 1990. Acts of political courage were exhibited by members of the legislature and by the governor, including a willingness to increase taxes and expand the appropriation for public education by some 25 percent.

4. One of the more interesting—and, in some respects, humorous—as-

pects of the Kentucky education reform effort has revolved around the unique manner in which the position of state superintendent of public instruction was seemingly downgraded to a position in name only by the legislature, with the duties of the office transferred to the new commissioner of education. Since the state superintendent position is a constitutionally designated office in Kentucky, the legislature did not have the authority to eliminate the office as part of the reform bill, so instead opted to remove the duties from the office and reduce the salary of the position to $3,000 per year for anyone elected to the position after the term of the incumbent ended in early 1992. When the 1992 election was held, the winner, John Stephenson, a Democrat from the northern region of the state, made his thinking about the matter clear. "I assume all duties accorded to that office presently and historically, and no one but the people of the commonwealth of Kentucky can remove those duties from this office," Stephenson said during the swearing-in ceremony (Lucke, 1992). While the governor and members of the legislative leadership have subsequently made it clear that Commissioner Boysen heads the public school system of the state, only time will tell the end of this story.

5. This number of employees includes some 350 individuals employed at the School for the Deaf and the School for the Blind, both of which are operated essentially as separate entities.

6. In the editorial by Bill Bishop cited, Bishop reports that 234 higher-ranking department of education employees are being paid with department funds by an outside educational cooperative agency, with the compensation totaling some $1.6 million per year.

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